

**State of California, State Water Resources Control Board**

Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400 Web: <http://waterrights.ca.gov>

S002368

2005, 2006, 2007

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM**

**Owner(s) of Record:**

MARVIN R FAGUNDES

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2008

**Primary Contact:**

MARVIN R FAGUNDES  
5000 JAMESON CANYON RD  
AMERICAN CANYON, CA 94503

**Agent:**

Address:

Phone No. 707-226-6546

Phone No.

Fax No.

Fax No.

E-mail Address:

E-mail Address:

Source Name: UNSP

Tributary To:

County: Napa

Diversion within: NW 1/4 of NE 1/4 Section 4, T 4 N, R 3 W, MDB&M

Year of First Use: 1921

Name of Diversion works:

Assessor Parcel Number  
of the Diversion site:

STATE WATER RESOURCES  
CONTROL BOARD  
DIVISION OF WATER RIGHTS  
SACRAMENTO  
2008 JUL -2 PM 1:41

A. **Water is Used Under:** Riparian claim \_\_\_ Pre-1914 claim \_\_\_ Court Decree No.: \_\_\_ Other (explain): \_\_\_

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) \_\_\_

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:  
Gallons per minute (gpm) \_\_\_ Gallons per day (gpd) \_\_\_ Cubic feet per second (cfs) \_\_\_

| Year | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | Average Rate |
|------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|--------------|
| 2005 |     |     |     |     |     |      |      |     |      |     |     |     |              |
| 2006 |     |     |     |     |     |      |      |     |      |     |     |     |              |
| 2007 |     |     |     |     |     |      |      |     |      |     |     |     |              |

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:  
Gallons X Million Gallons (MG) \_\_\_ Acre-feet (AF) \_\_\_

| Year | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | Total Annual |
|------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|--------------|
| 2005 |     |     |     |     |     |      |      |     |      |     |     |     | 900,000      |
| 2006 |     |     |     |     |     |      |      |     |      |     |     |     | 900,000      |
| 2007 |     |     |     |     |     |      |      |     |      |     |     |     | 900,000      |

E. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; Stockwatering 500 HO CATTLE Domestic X \_\_\_\_\_;  
Other (specify) \_\_\_\_\_

Parcel Number(s) of Place of Use: \_\_\_\_\_

F. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.  
(New pump, enlarged diversion dam, location of diversion, etc.)  
Same As Previous Years

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES \_\_\_ NO X  
Describe any water conservation efforts you have initiated: \_\_\_\_\_

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:  
Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

Reduction in consumptive use:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO X.
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES \_\_\_\_\_ NO \_\_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO \_\_\_\_\_.
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:
- Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)
- I have data to support the above surface water use reductions due to the use of groundwater. YES \_\_\_\_\_ NO \_\_\_\_\_.

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6/26, 2008 at Napa, California

SIGNATURE: Marvin R. Fagundes

PRINTED NAME: MARVIN R FAGUNDES  
(first name) (middle initial) (last name)

COMPANY NAME: \_\_\_\_\_

ITEM \_\_\_\_\_ If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.  
CONTINUATION

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



S002368%S%2004

2002, 2003, 2004

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by JULY 1, 2005.

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: MARVIN R FAGUNDES;

**PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:**

**MARVIN R FAGUNDES**  
**5000 JAMESON CANYON RD**  
**AMERICAN CANYON, CA 94503**

STATEMENT NO.: S002368  
CONTACT PHONE NO.: (707)226-6546

Source Name: Unnamed Spring

Tributary To: Unnamed Stream

County: Napa

Diversion Within: NW1/4 of NE1/4 Section 04, T04N, R03W, MB&M

Year of First Use: 1921

Parcel Number:

A. **Water is Used Under:** Riparian claim Pre-1914 right Other (explain):

B. **Year of First Use:** (Please provide if missing above) \_\_\_\_\_

C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

| Amounts below are in: Gallons <input checked="" type="checkbox"/> Million Gallons (MG) <input type="checkbox"/> Acre-feet (AF) <input type="checkbox"/> Other <input type="checkbox"/> |     |     |     |     |     |      |      |     |      |     |     |     | Total Annual |
|--|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|--------------|
| Year   | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec |              |
| 2002   |     |     |     |     |     |      |      |     |      |     |     |     | 900,000      |
| 2003   |     |     |     |     |     |      |      |     |      |     |     |     | 900,000      |
| 2004   |     |     |     |     |     |      |      |     |      |     |     |     | 900,000      |

D. **Purpose of Use** - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; Stockwatering 500 Ha Cattle; Domestic X

Other (specify) \_\_\_\_\_

E. **Changes in Method of Diversion** - Describe any changes in your project since your previous statement was filed.  
(New pump, enlarged diversion dam, location of diversion, etc.)

SAME AS PREVIOUS YEARS

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES \_\_\_\_\_ NO X

Describe any water conservation efforts you have initiated: \_\_\_\_\_

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

Reduction in consumptive use:

Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG) Year \_\_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

5-11-05  
RAM

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_ NO X
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

State the type of substitute water supply: \_\_\_\_\_

Amount of substitute water supply used:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES \_\_\_\_ NO \_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_ NO \_\_\_\_
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG) Year \_\_\_\_ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES \_\_\_\_ NO \_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 4-28-, 2005 at Napa, California.

SIGNATURE: Martin R Fagundes

PRINTED NAME: MARTIN R FAGUNDES  
(first name) (middle initial) (last name)

COMPANY NAME: FAGUNDES Livestock

If there is insufficient space for your answers, please use the space provided below.

ITEM

CONTINUATION

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GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.



S002368%\$%2001

1999, 2000, 2001

Please Complete and Return This Form by July 1, 2002.

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: MARVIN R FAGUNDES

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

MARVIN R FAGUNDES  
5000 JAMESON CANYON RD  
VALLEJO, CA 94589

*American Canyon, Ca  
94503*

STATEMENT NO: S002368  
CONTACT PHONE NO: (707)226-6546

FOR ONLINE REPORTING AT  
[www.waterrights.ca.gov](http://www.waterrights.ca.gov)

USER NAME: S002368  
PASSWORD: C14620

Source Name: Unnamed Spring

Tributary To: Unnamed Stream

County: Napa

Diversion Within: NW1/4 of NE1/4 Section 04, T04N, R03W, MB&M

Year of First Use: 1921

Parcel Number:

A. Water is used under: Riparian claim \_\_\_\_\_ Pre 1914 right \_\_\_\_\_ Other (explain): \_\_\_\_\_

B. Year of first use (Please provide, if missing above) \_\_\_\_\_

C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

| Amounts below are: Gallons <input checked="" type="checkbox"/> Acre-feet <input type="checkbox"/> Other <input type="checkbox"/> |     |     |     |     |     |      |      |     |      |     |     |     | Total Annual |
|--|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|--------------|
| Year   | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec |              |
| 1999   |     |     |     |     |     |      |      |     |      |     |     |     | 960,000      |
| 2000   |     |     |     |     |     |      |      |     |      |     |     |     | 960,000      |
| 2001   |     |     |     |     |     |      |      |     |      |     |     |     | 960,000      |

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; Stockwatering 5000 CATTLE; Domestic ☒ \_\_\_\_\_

Other (specify) \_\_\_\_\_

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.) \_\_\_\_\_

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES \_\_\_ NO ☒  
Describe any water conservation efforts you have initiated: \_\_\_\_\_

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

Reductions in consumptive use:

yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES \_\_\_ NO ☒



2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO ☒
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:
- yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)
- I have data to support the above surface water use reductions due to wastewater reclamation. YES \_\_\_\_\_ NO \_\_\_\_\_

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO \_\_\_\_\_
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:
- yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg) yr \_\_\_\_\_ (af/mg)
- I have data to support the above surface water use reductions due to conjunctive use efforts. YES \_\_\_\_\_ NO \_\_\_\_\_

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 5-24, 2002 at Napa, California

SIGNATURE: Marvin R. Fagundes

PRINTED NAME: MARVIN (first name) R (middle init.) FAGUNDES (last name)

COMPANY NAME: FAGUNDES LIVESTOCK

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

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GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. BOX 2000, SACRAMENTO, CA 95812-2000  
(916) 657-2170

**SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE**

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

**PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1999**

**OWNER OF RECORD:** MARVIN R FAGUNDES

MARVIN R FAGUNDES  
5000 JAMESON CANYON RD  
VALLEJO, CA 94589

**STATEMENT NO:** S002368

**SOURCE:** UNSP  
**TRIBUTARY TO:** UNST  
**COUNTY:** NAPA  
**DIVERSION**

**WITHIN:** NW¼ OF NE¼ SECTION 4, T4N, R3W, MB&M.

**TELEPHONE NUMBER:**  
(707) 226-6546  
**YEAR OF FIRST USE:** 1921  
**PARCEL NO:**

A. Water is used under: Riparian claim \_\_\_\_\_ Pre 1914 right \_\_\_\_\_ Other (explain): \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: Gallons ☒ Acre-feet \_\_\_\_\_ Other \_\_\_\_\_

| Year | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec | Total Annual |
|------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|--------------|
| 1996 |     |     |     |     |     |      |      |     |      |     |     |     | 900,000      |
| 1997 |     |     |     |     |     |      |      |     |      |     |     |     | 900,000      |
| 1998 |     |     |     |     |     |      |      |     |      |     |     |     | 900,000      |

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; Stockwatering 500 Cattle; Domestic \_\_\_\_\_

Other (specify) \_\_\_\_\_

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.) SAME

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Describe any water conservation efforts you may have started: \_\_\_\_\_

b. \_\_\_\_\_

c. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES \_\_\_\_\_ NO \_\_\_\_\_

SUP-STATE (12-98)

DIV. OF WATER RIGHTS  
SACRAMENTO  
APR 16 PM 3:03  
ALTERNATIVE RESOURCES  
CENTRAL WATER  
DIVISION

COBO 1000  
1000

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. BOX 2000, SACRAMENTO, CA 95812-2000  
(916) 657-2170

- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES \_\_\_\_\_ NO \_\_\_\_\_
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg) 19 \_\_\_\_\_ (af/mg)

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 4-14-99, 19 99 at Napa, California

SIGNATURE: Marvin R. Fagundes

PRINTED NAME: MARVIN (first name) R (middle init.) FAGUNDES (last name)

COMPANY NAME: FAGUNDES LIVESTOCK

If there is insufficient space for your answers, please use the space provided below.

| ITEM  | CONTINUATION |
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GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and per 1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.  
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.

OWNER OF RECORD: MARVIN R FAGUNDES

MARVIN R FAGUNDES  
5000 JAMESON CANYON ROAD  
VALLEJO, CA 94589

SOURCE: UNSP  
TRIBUTARY TO: UNST  
COUNTY: NAPA  
DIVERSION

STATEMENT NO: S002368

TELEPHONE NUMBER:  
(707) 226-6546  
YEAR OF FIRST USE: 1921  
PARCEL NO:

WITHIN: NW¼ OF NE¼ SECTION 4, T4N, R3W, MB&M.

A. Water is used under: Riparian claim \_\_\_\_\_; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☒ Gallons ☐ Acre-feet ☐ (other) \_\_\_\_\_

| YEAR | JAN. | FEB. | MAR. | APR. | MAY | JUNE | JULY | AUG. | SEPT | OCT. | NOV. | DEC | TOTAL ANNUAL |
|------|------|------|------|------|-----|------|------|------|------|------|------|-----|--------------|
| 1993 |      |      |      |      |     |      |      |      |      |      |      |     | 900,000      |
| 1994 |      |      |      |      |     |      |      |      |      |      |      |     | 900,000      |
| 1995 |      |      |      |      |     |      |      |      |      |      |      |     | 900,000      |

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; Stockwatering 500 to Cattle; Domestic ☒  
Other (specify) \_\_\_\_\_

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)  
SAME

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6-17, 1996, at Napa, California

SIGNATURE: Marvin R. Fagundes

PRINTED NAME: MARVIN (FIRST NAME) Robert (M. NAME) FAGUNDES (LAST NAME)

COMPANY NAME: Fagundes Livestock

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.



5-2368

\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S002368  
OWNER OF RECORD: MARVIN R FAGUNDES

MARVIN R FAGUNDES  
5000 JAMESON CANYON ROAD  
VALLEJO, CA 94589

SOURCE: UNSP  
TRIBUTARY TO: UNST  
COUNTY: NAPA  
DIVERSION  
WITHIN: NW¼ OF NE¼ SECTION 4, T4N, R3W, MDB&M.

STATE WATER RESOURCES CONTROL BOARD  
DIV. OF WATER RIGHTS  
SACRAMENTO  
1995 MAR 28 PM 12:24  
TELEPHONE NUMBER:  
(707) 226-6546  
YEAR OF FIRST USE: 1921  
PARCEL NO: 057-030-011

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995.

A. Water is used under: Riparian claim \_\_\_\_\_; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☒ Gallons ☐ Acre-feet ☐ (other) \_\_\_\_\_

|      | JAN. | FEB. | MAR. | APR. | MAY | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC. | TOTAL ANNUAL |
|------|------|------|------|------|-----|------|------|------|-------|------|------|------|--------------|
| 1992 |      |      |      |      |     |      |      |      |       |      |      |      | 900,000      |
| 1993 |      |      |      |      |     |      |      |      |       |      |      |      | 900,000      |
| 1994 |      |      |      |      |     |      |      |      |       |      |      |      | 900,000      |

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_ acres; Stockwatering 500 hd Cattle; Domestic ☒

Other (specify) \_\_\_\_\_

\*\*\* CONTINUE ON BACK PAGE \*\*\*

\*\*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

Same

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 3 - 22, 1995, at Napa, California

SIGNATURE: Marvin R. Fagundes

PRINTED NAME: MARVIN Robert FAGUNDES  
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: Fagundes Livestock Co.

#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"  
"Information Pertaining to Water Rights in California"  
"Water Rights for Stockponds Constructed Prior to 1969"  
"Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
P.O. Box 2000  
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE  
INFORMATION SHEET

STATEMENT NO. 5002368

DIVERSION SITE:

OWNER'S NAME MARVIN Robert FAGUNDES  
(FIRST) (MIDDLE) (LAST)

PARCEL NO. 057-030-011

PLACE OF USE:

OWNER'S NAME MARVIN R FAGUNDES  
(FIRST) (MIDDLE) (LAST)

1. PARCEL NO. 057-030-011
2. PARCEL NO. 057-080-025
3. PARCEL NO. \_\_\_\_\_

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL  
STATEMENTS:

OWNER/LESSEE/AGENT/OTHER \_\_\_\_\_

NAME MARVIN R FAGUNDES  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS 5000 JAMESON Cyn Rd  
Vallejo CA 94589  
(CITY) (STATE) (ZIP)

TELEPHONE NO. (707) 226 - 6546

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME \_\_\_\_\_  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS \_\_\_\_\_  
(CITY) (STATE) (ZIP)

TELEPHONE NO. (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

2. NAME \_\_\_\_\_  
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS \_\_\_\_\_  
(CITY) (STATE) (ZIP)

TELEPHONE NO. (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR  
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL  
INFORMATION BOX.

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000  
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 002368

MARVIN R FAGUNDES  
5000 JAMESON CANYON ROAD  
VALLEJO, CA 94589

TELEPHONE NUMBER:  
(707) 226-6546

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: UNNAMED SPRING

TRIBUTARY TO: UNNAMED STREAM

COUNTY: NAPA

YEAR OF FIRST USE: 1921

DIVERSION

WITHIN: NW1/4 OF NE1/4 SECTION 04, T04N, R03W, MDB&M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994.

A. Water is used under: Riparian claim \_\_\_\_\_; Pre 1914 right \_\_\_\_\_; Other (explain) \_\_\_\_\_

B. Year of first use (Please provide if missing above) \_\_\_\_\_

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☒ Gallons ☐ Acre-feet ☐ (other) \_\_\_\_\_

|      | JAN. | FEB. | MAR. | APR. | MAY | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC. | TOTAL ANNUAL |
|------|------|------|------|------|-----|------|------|------|-------|------|------|------|--------------|
| 1991 |      |      |      |      |     |      |      |      |       |      |      |      | 900,000      |
| 1992 |      |      |      |      |     |      |      |      |       |      |      |      | 900,100      |
| 1993 |      |      |      |      |     |      |      |      |       |      |      |      | 900,100      |

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.  
Irrigation \_\_\_\_\_ acres; Stockwatering 500 head Cattle; Domestic ☒  
Other (specify) \_\_\_\_\_

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 3-30, 19 94, at Napa, California

Signature: Marvin R. Fagundes



## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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"Information Pertaining to Water Rights in California"

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"Appropriation of Water in California"

STATE OF CALIFORNIA  
THE RESOURCE AGENCY  
STATE WATER RIGHTS BOARD

STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

A. Name of person diverting water M. J. Jaramila, Jr. (Marceline R. Jaramila)  
Address 1111 1/2 St. Napa, California 94558 Ronald D. Jaramila

B. Name of body of water at point of diversion Murphy Creek  
Tributary to \_\_\_\_\_

C. Place of diversion 1/4 1/4 Section 2, Township 5 N, Range 3 W, SR 34  
Napa County, or locate it on sketch of section grid on reverse side with regard to section lines and prominent local landmarks.

D. Name of works \_\_\_\_\_

E. Capacity of diversion works \_\_\_\_\_

Capacity of storage reservoir \_\_\_\_\_

State quantity of water used each month in gallons or acre-feet

| Year | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec. | Total Annual |
|------|------|------|------|------|-----|------|------|------|-------|------|------|------|--------------|
| 1966 | 7500 |      |      |      |     |      |      |      |       |      |      |      | 9000         |

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc. Water used for

Maximum annual water use in recent years \_\_\_\_\_

Minimum annual water use in recent years \_\_\_\_\_

Type of diversion facility: gravity \_\_\_\_\_, pump \_\_\_\_\_

Method of measurement: weir \_\_\_\_\_, flume \_\_\_\_\_, electric power meter \_\_\_\_\_, water meter \_\_\_\_\_, estimate \_\_\_\_\_

F. Purpose of use (what water is being used for) For Irrigation

G. General description or location of place of use (use sketch of section grid on reverse side if you desire) \_\_\_\_\_

H. Year of first use as nearly as known 1966

I. Name of person filing statement J. Jaramila

Position \_\_\_\_\_

Organization \_\_\_\_\_

Address 1111 1/2 St. Napa, California 94558

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed \_\_\_\_\_

Signature J. Jaramila

See Instructions on Reverse Side